

Regular Session, 2010

HOUSE BILL NO. 537

BY REPRESENTATIVE WOOTON

MUNICIPAL/LAWRASON ACT: Provides relative to the office of police chief in the municipality of Jean Lafitte

1 AN ACT

2 To enact R.S. 33:381(C)(30), relative to the municipality of Jean Lafitte; to provide for the  
3 filling of the office of police chief by appointment; to provide for the time and  
4 method of appointment and for the salary, term, duties, qualifications, and  
5 supervision of an appointed police chief; and to provide for related matters.

6 Notice of intention to introduce this Act has been published  
7 as provided by Article III, Section 13 of the Constitution of  
8 Louisiana.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 33:381(C)(30) is hereby enacted to read as follows:

11 §381. Municipal officers

12 \* \* \*

13 C.

14 \* \* \*

15 (30) Notwithstanding any other provision of law to the contrary, the office  
16 of police chief in the municipality of Jean Lafitte shall be an appointive and not an  
17 elective office. The mayor, with the approval of the board of aldermen, shall appoint  
18 the police chief. If there is an elected chief in office on the effective date of this  
19 Paragraph, the mayor shall make the first such appointment upon the expiration of  
20 the current term or vacancy for other reason; otherwise, he shall make the first

appointment immediately. The board of aldermen, upon recommendation of the  
mayor, shall establish the chief's salary and shall, by ordinance, establish the duties,  
responsibilities, and qualifications of the office. The police chief's term of office  
shall be concurrent with that of the appointing mayor and aldermen. The mayor  
shall, in accordance with such ordinances, supervise and direct the administration of  
the office, and the chief shall report directly to the mayor.

7 \* \* \*

8           Section 2. This Act shall become effective upon signature by the governor or, if not  
9   signed by the governor, upon expiration of the time for bills to become law without signature  
10 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
11 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
12 effective on the day following such approval.

# DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Wooton

HB No. 537

**Abstract:** Provides for the appointment, rather than election, of the police chief of Jean Lafitte.

Provides that the office of police chief in Jean Lafitte shall be appointive, rather than elective, as follows:

Present law (R.S. 33:381) provides that the officers of every municipality governed by the provisions of the Lawrason Act (mayor-board of aldermen form of government) shall be a mayor, aldermen, a chief of police, a tax collector, and a clerk. Generally provides for election, at large, of the police chief. Provides for appointment of a police chief in certain specified municipalities.

Present law (R.S. 33:381.1 and 381.2) alternatively provides that the office of police chief shall be filled by mayoral appointment with approval of the board of aldermen if a majority of the municipal electors approve the change. Provides for an election on the question only upon petition directed to the board of aldermen and signed by at least 25% of such electors. However, in a municipality with a population of 5,000 or fewer, authorizes calling such an election upon adoption of an ordinance by 2/3 vote of the governing authority.

Proposed law provides that the police chief in Jean Lafitte shall be appointed by the mayor with the approval of the board of aldermen. Provides for initial appointment upon expiration of the current term or other vacancy if there is an elected chief in office on the effective date of proposed law; provides for immediate appointment if not. Provides that the police chief's term shall be concurrent with that of the mayor and aldermen.

Proposed law provides that the board of aldermen, upon recommendation of the mayor, shall establish the salary of the office and shall, by ordinance, establish the duties, responsibilities, and qualifications of the office. Provides that the mayor, in accordance with such ordinances, shall supervise and direct the administration of the office and that the chief shall report directly to the mayor.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 33:381(C)(30))